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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699.665	11/04/2003	Christophe Gustave	ALC 3096	6478

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KRAMER & AMADO, P.C.
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EXAMINER

KOEMPEL THOMAS, BEATRICE L

ART UNIT	PAPER NUMBER
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2132

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/699,665

Applicant(s)

GUSTAVE ET AL.

Examiner

Bea Koempel-Thomas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2 March 2004 and 6 April 2005.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

1. Claims 1-12 are pending in this application and presented for examination.

Objections

Specification

2. The specification is objected to because it does not include reference character(s) corresponding to claimed elements and limitations in the drawings (Figure 3). Furthermore, because the use of reference characters in the drawings is generally lacking, the specification needs to be amended corresponding with necessary drawing amendments.
3. An amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) is required in reply to the Office action to avoid abandonment of the application. No new matter may be added.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference sign(s) corresponding to the claimed elements and limitations. Corrected drawing sheets, illustrating and identifying the claimed elements and limitations, in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.
5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference characters, icons, and abbreviations not mentioned in the

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description: 1, 2, 3, 4, 5, 6, 5620 NM (NMS), 1353/EMS, NE 1, NE 2, NE 3 (Figure 3); and various icons on each flow arrow (Figure 4).

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d), and/or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 does not conform to the requirement for idiomatic English and/or contains grammatical errors such that its meaning and scope are indefinite.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. **Claims 1, 4, 5, 7, 10, and 11 are rejected under 35 U.S.C. 102(a) and 35 U.S.C. 102(e) as being anticipated by Ferchichi et al. U.S. Patent Publication No. 2003/0012382 A1, (hereinafter “Ferchichi”).**

11. **Regarding claims 1 and 7:** Ferchichi discloses a method (Title) and system ([0048] module can include hardware and software) respectively, of authenticating an end-user client in a computer-based communication system comprising the steps of:

a) sending, by the end-user client, an authenticating domain identifier to an authentication server ([0012] – [0015] request);

b) creating, by the authentication server and depending on the authentication domain identifier, an authentication stack comprising one or more stack entries ([0012] – [0015] store request);

c) rendering, for each stack entry and depending thereon, an authentication service to produce an authentication result for that entry ([0012] – [0015] check authentication mode); and

d) consolidating authentication results to obtain an authentication status for the end-user client ([0221] synchronization status).

12. **Regarding claims 4 and 10:** Ferchichi discloses that the authentication service includes local and remote services ([0049] – [0050] local authentication via single sign on module required for authentication for remote access).

13. **Regarding claims 5 and 11:** Ferchichi discloses that the local and remote services include biometric schemes ([0048] – [0050]), cryptographic hardware services ([0048] and [0064] cryptographic hardware), smart cards ([0048] – [0050]), and USB tokens (0061] token).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. **Claims 2, 3, 6, 8, 9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferchichi in view of Shimada et al., U.S. Patent Publication No. 2003/0154373 A1, (hereinafter “Shimada”).**

16. **Regarding claims 2 and 8:** Ferchichi does not disclose that the authentication identifies an application ID. Shimada discloses that the authentication identifies an application ID ([0040] – [0041] authentication dependent on application).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Ferchichi by application dependent parameters as taught by Shimada in order to enable services to operate on a variety of platforms, (*see* Shimada [0040]).

17. **Regarding claims 3 and 9:** Ferchichi does not disclose that the authentication server, dependent on the application ID, retrieves a configuration specifying authentication application, which configuration is used for creating the authentication stack.

Shimada discloses that the authentication server, dependent on the application ID, retrieves a configuration specifying authentication application, which configuration is used for creating the authentication stack ([0040] configuration depends on application and device).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Ferchichi by application dependent parameters as taught by Shimada in order to enable services to operate on a variety of platforms, (*see* Shimada [0040]).

18. **Regarding claims 6 and 12:** Ferchichi does not disclose that, responsive to an authentication status corresponding to a successful authentication, a unique session ID is sent to the end-user client.

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Shimada discloses that, responsive to an authentication status corresponding to a successful authentication, a unique session ID is sent to the end-user client ([0457] session ID associated with user).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Ferchichi by application dependent parameters as taught by Shimada in order to enable services to operate on a variety of platforms, (*see* Shimada [0040]).

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is:

- Leung, U.S. Patent No. 6,760,444 B1, regarding mobile IP authentication.
- Pham et al., U.S. Patent No. 6,678,828 B1, regarding secure network file access control systems.

Please direct any inquiry concerning this communication or earlier communications from the examiner to Bea Koempel-Thomas whose telephone number is 571-270-1252. The examiner can normally be reached on Monday - Thursday & alternate Fridays; 0730 - 1700.

If attempts to reach the examiner by telephone are unsuccessful, please contact the examiner's supervisor, Gilberto Barron, at 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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2/26/2007



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